

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 8.01-246 of the Code of Virginia, relating to statute of limitations;*
3 *action based on an unsigned, written contract.*

4 [H 2242]

5 Approved

6 **Be it enacted by the General Assembly of Virginia:**7 **1. That § 8.01-246 of the Code of Virginia is amended and reenacted as follows:**8 **§ 8.01-246. Personal actions based on contracts.**

9 Subject to the provisions of § 8.01-243 regarding injuries to person and property and of § 8.01-245
10 regarding the application of limitations to fiduciaries, and their bonds, actions founded upon a contract,
11 other than actions on a judgment or decree, shall be brought within the following number of years next
12 after the cause of action shall have accrued:

13 1. In actions or upon a recognizance, except recognizance of bail in a civil suit, within ~~ten~~ 10 years;
14 and in actions or motions upon a recognizance of bail in a civil suit, within three years, omitting from
15 the computation of such three years such time as the right to sue out such execution shall have been
16 suspended by injunction, supersedeas or other process;

17 2. In actions on any contract ~~which~~ *that* is not otherwise specified and ~~which~~ *that* is in writing and
18 signed by the party to be charged thereby, or by his agent, within five years whether such writing be
19 under seal or not;

20 3. In actions by a partner against another for settlement of the partnership account or in actions upon
21 accounts concerning the trade of merchandise between merchant and merchant, their factors, or servants,
22 within five years from the cessation of the dealings in which they are interested together;

23 4. In actions upon (i) *any contract that is not otherwise specified and that is in writing and not*
24 *signed by the party to be charged, or by his agent, or (ii) any* unwritten contract, express or implied,
25 within three years.

26 Provided that as to any action to which § 8.2-725 of the Uniform Commercial Code is applicable,
27 that section shall be controlling except that in products liability actions for injury to person and for
28 injury to property, other than the property subject to contract, the limitation prescribed in § 8.01-243
29 shall apply.

ENROLLED

HB2242ER